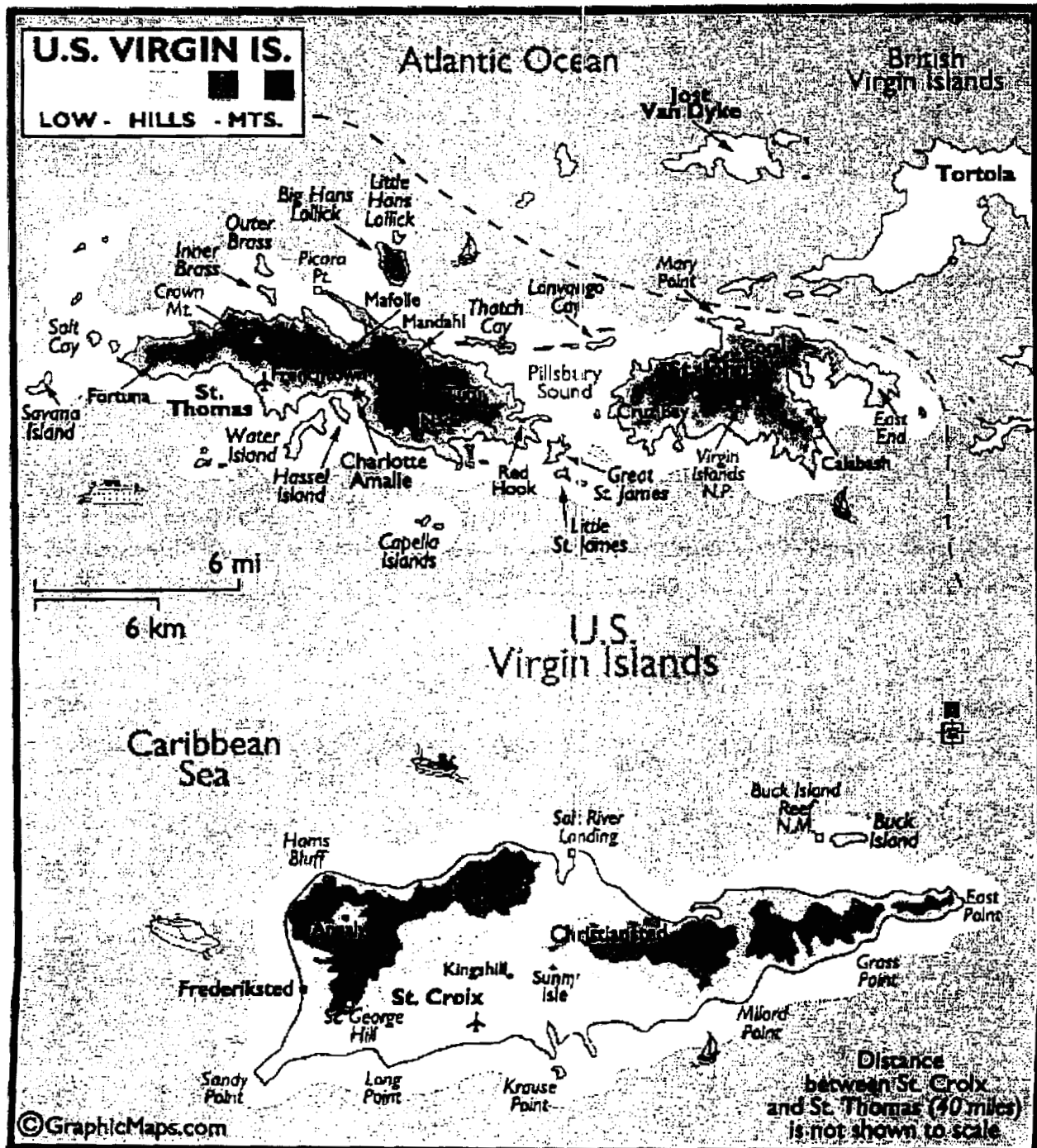


U. S. Virgin Islands

Map of the U. S. Virgin Islands, consisting of four major populated islands (St. Croix, St. Thomas, St. John, and Water Island, and between 50 to 60 small islands or islets and cays, some of which may be continuously or intermittently sparsely populated. This, by all definitions, is the defined BTA 491 for the Choice MMS license. To the best of Choice's knowledge, this is also the Study Area for the PSTN, the Virgin Islands Telephone Company (Vitelco) dba Innovative Telephone.



**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)
)
)

Choice Communications LLC)

Petition for Designation as an Eligible)
Telecommunications Carrier in the)
United States Virgin Islands)
_____)

CC Docket No. 96-45

AFFIDAVIT OF STEVEN J. PARRISH

1. My name is Steven J. Parrish. I am the Chief Executive Officer of Choice Communications LLC. My business address is 9719 Estate Thomas, St. Thomas, VI, 00802.

2. In my capacity as Chief Executive Officer of Choice Communications LLC, I am an authorized representative of the Company. The purpose of this affidavit is to support Choice's request for designation as an eligible telecommunications carrier ("ETC"). I have read Choice's Petition for Designation as an Eligible Telecommunications Carrier in the U.S. Virgin Islands.

3. I certify that Choice has satisfied—or will satisfy—the necessary criteria to be designated as an ETC.

4. Choice currently offers—or will offer upon designation as an ETC—the services supported by the universal service support mechanisms. Choice will offer these services throughout its licensed service area. Choice will use a combination of its own facilities and the resale of another carrier's facilities to provision these services. Choice will advertise the

availability of the supported services through media of general distribution in the U.S. Virgin Islands.

5. To be designated as an ETC, Choice is willing to make several voluntary commitments, which are set forth in full in its application for designation as an ETC.

6. I have reviewed Choice's application for designation as an ETC and the facts discussed therein are true and correct to the best of my present knowledge.

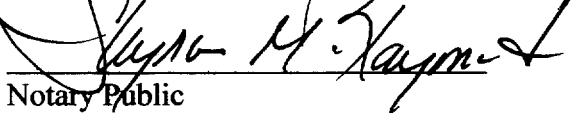
7. I hereby certify under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed on January 11, 2005.



Steven J. Parrish
Chief Executive Officer

SUBSCRIBED, SWORN TO, AND ACKNOWLEDGED before me this 11th day of January, 2005.


Notary Public

Shyra M. Raymond
My commission expires 1/16/2005
NP - 008 - 01

Virgin Islands Public Services Commission

P. O. Box 7360, Sunny Isle – Christiansted, St. Croix – U.S. Virgin Islands 00823-7360
Telephone (340) 778-6010 **Fax (340) 778-0302**

February 27, 2004

The Honorable Michael Powell
Chairman
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Re: Designation as an Eligible Telecommunications Carrier

Dear Chairman Powell:

On February 18, 2004, the Virgin Islands Public Service Commission ("VIPSC" or "Commission") voted to conclude its examination of a request by Choice Communications, LLC for designation as a Eligible Telecommunications Carrier pursuant to its rights under 47 U.S.C. § 214(e)(2). This conclusion was based on the recommendation of the Commission's hearing examiner. A copy of the report of the hearing examiner which also addressed other issues is attached as Exhibit 1. In its February 27, 2004 Order, the VIPSC concluded that Choice Communications, LLC – as a federally-licensed CMRS-provider – is not presently subject to the rules, regulations and requirements of the Virgin Islands Public Service Commission. A copy of that order is attached as Exhibit 2. After carefully examining the petitioner's request, this Commission concluded that it did not presently have jurisdiction over Choice Communications, LLC.

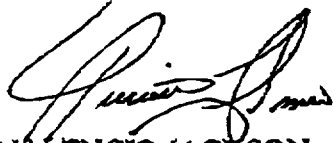
In accord with provisions enacted in 47 U.S.C. § 214(e)(6) – and requirements set forth in *Procedure for FCC Designation of Eligible Telecommunications Carriers Pursuant to Section 214(e)(6) of the Communications Act* – the Virgin Islands Public Service Commission herein advises the Federal Communications Commission that, upon investigation, the VIPSC found (a) Choice Communications, LLC presently holds no operating licenses or authority from the Virgin Islands Public Service Commission nor is any required, and (b) Choice Communications, LLC is not presently subject to any reporting requirements set forth by the Virgin Islands Code for local exchange telecommunications carriers because Choice is a wireless carrier and the VIPSC lacks jurisdiction over wireless carriers in such matters.

Given these findings, the VIPSC concludes it lacks jurisdiction under 47 U.S.C. § 214(e)(6), for consideration of the request for designation as an eligible telecommunications

carrier by Choice Communications, LLC at this time.¹ This determination shall not be deemed a waiver of the VIPSC's right to exercise its rightful authority under any future law of the Territory of the Virgin Islands or in any future proceeding where an independent basis for jurisdiction exists.

The conclusion by the Virgin Islands Public Service Commission that it lacks jurisdiction in this matter should not be construed as any indication of the PSC's opinion regarding the merits of the petitioner's request. It is our understanding that the FCC will develop its own evidentiary record in this matter and may solicit information from this agency if it deems it beneficial to do so. We stand prepared to assist the FCC staff in any way. Please feel free to contact our office if we can be of any further assistance in this matter.

Very truly yours,



VALENCIO JACKSON

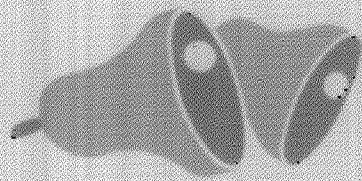
Chairman

Virgin Islands Public Service Commission

cc: Neal Prior, Chairman
Choice Communications, LLC

¹. Choice, in direct response to requests by the VIPSC expressed no willingness to subject itself to the jurisdiction of the VIPSC.

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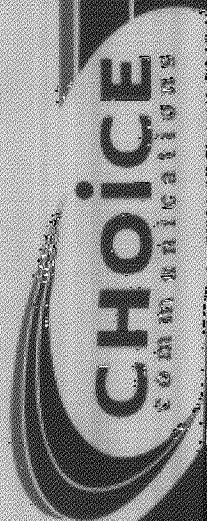


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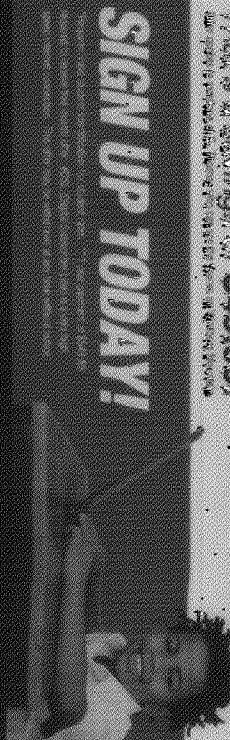
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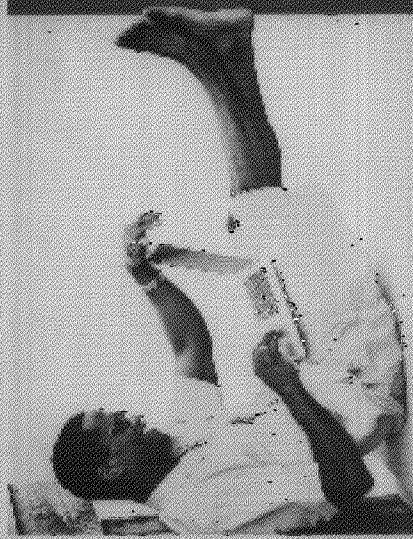
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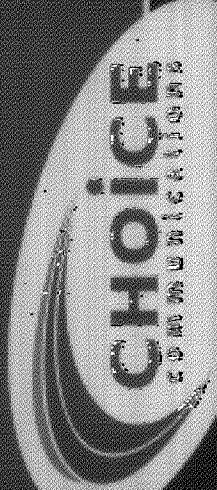
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CTIA

Consumer Code for Wireless Service

To provide consumers with information to help them make informed choices when selecting wireless service, to help ensure that consumers understand their wireless service and rate plans, and to continue to provide wireless service that meets consumers' needs, the CTIA and the wireless carriers that are signatories below have developed the following Consumer Code. The carriers that are signatories to this Code have voluntarily adopted the principles, disclosures, and practices here for wireless service provided to individual consumers.

THE WIRELESS CARRIERS THAT ARE SIGNATORIES TO THIS CODE WILL:

ONE

DISCLOSE RATES AND TERMS OF SERVICE TO CONSUMERS

For each rate plan offered to new consumers, wireless carriers will make available to consumers in collateral or other disclosures at point of sale and on their web sites, at least the following information, as applicable: (a) the calling area for the plan; (b) the monthly access fee or base charge; (c) the number of airtime minutes included in the plan; (d) any nights and weekend minutes included in the plan or other differing charges for different time periods and the time periods when nights and weekend minutes or other charges apply; (e) the charges for excess or additional minutes; (f) per-minute long distance charges or whether long distance is included in other rates; (g) per-minute roaming or off-network charges; (h) whether any additional taxes, fees or surcharges apply; (i) the amount or range of any such fees or surcharges that are collected and retained by the carrier; (j) whether a fixed-term contract is required and its duration; (k) any activation or initiation fee; and (l) any early termination fee that applies and the trial period during which no early termination fee will apply.

TWO

MAKE AVAILABLE MAPS SHOWING WHERE SERVICE IS GENERALLY AVAILABLE

Wireless carriers will make available at point of sale and on their web sites maps depicting approximate voice service coverage applicable to each of their rate plans currently offered to consumers. To enable consumers to make comparisons among carriers, these maps will be generated using generally accepted methodologies and standards to depict the carrier's outdoor coverage. All such maps will contain an appropriate legend concerning limitations and/or variations in wireless coverage and map

usage, including any geographic limitations on the availability of any services included in the rate plan. Wireless carriers will periodically update such maps as necessary to keep them reasonably current. If necessary to show the extent of service coverage available to customers from carriers' roaming partners, carriers will request and incorporate coverage maps from roaming partners that are generated using similar industry-accepted criteria, or if such information is not available, incorporate publicly available information regarding roaming partners' coverage areas.

THREE

PROVIDE CONTRACT TERMS TO CUSTOMERS AND CONFIRM CHANGES IN SERVICE

When a customer initiates service with a wireless carrier or agrees to a change in service whereby the customer is bound to a contract extension, the carrier will provide or confirm the material terms and conditions of service with the subscriber.

FOUR

ALLOW A TRIAL PERIOD FOR NEW SERVICE

When a customer initiates service with a wireless carrier, the customer will be informed of and given a period of not less than 14 days to try out the service. The carrier will not impose an early termination fee if the customer cancels service within this period, provided that the customer complies with applicable return and/or exchange policies. Other charges, including airtime usage, may still apply.

FIVE

PROVIDE SPECIFIC DISCLOSURES IN ADVERTISING

In advertising of prices for wireless service or devices, wireless carriers will disclose material charges and conditions related to the advertised prices, including if applicable and to the extent the advertising medium reasonably allows: (a) activation or initiation fees; (b) monthly service fees or base charges; (c) any required contract term; (d) early termination fees; (e) the terms and conditions related to receiving a product or service for "free;" (f) the times of any peak and off-peak calling periods; (g) whether different or additional charges apply for calls outside of the carrier's network or outside of designated calling areas; (h) for any rate plan advertised as "nationwide," (or using similar terms), the carrier will have available substantiation for this claim; (i) whether prices or benefits apply only for a limited time or promotional period and, if so, any different fees or charges to be paid for the remainder of the contract term; (j) whether any additional taxes, fees or surcharges apply; and (k) the amount or range of any such fees or surcharges collected and retained by the carrier.

SIX

SEPARATELY IDENTIFY CARRIER CHARGES FROM TAXES ON BILLING STATEMENTS

On customers' bills, carriers will distinguish (a) monthly charges for service and features, and other charges collected and retained by the carrier, from (b) taxes, fees and other charges collected by the carrier and remitted to federal state or local governments. Carriers will not label cost recovery fees or charges as taxes.

SEVEN

PROVIDE CUSTOMERS THE RIGHT TO TERMINATE SERVICE FOR CHANGES TO CONTRACT TERMS

Carriers will not modify the material terms of their subscribers' contracts in a manner that is materially adverse to subscribers without providing a reasonable advance notice of a proposed modification and allowing subscribers a time period of not less than 14 days to cancel their contracts with no early termination fee.

EIGHT

PROVIDE READY ACCESS TO CUSTOMER SERVICE

Customers will be provided a toll-free telephone number to access a carrier's customer service during normal business hours. Customer service contact information will be provided to customers online and on billing statements. Each wireless carrier will provide information about how customers can contact the carrier in writing, by toll-free telephone number, via the Internet or otherwise with any inquiries or complaints, and this information will be included, at a minimum, on all billing statements, in written responses to customer inquiries and on carriers' web sites. Each carrier will also make such contact information available, upon request, to any customer calling the carrier's customer service departments.

NINE

PROMPTLY RESPOND TO CONSUMER INQUIRIES AND COMPLAINTS RECEIVED FROM GOVERNMENT AGENCIES

Wireless carriers will respond in writing to state or federal administrative agencies within 30 days of receiving written consumer complaints from any such agency.

TEN

ABIDE BY POLICIES FOR PROTECTION OF CUSTOMER PRIVACY

Each wireless carrier will abide by a policy regarding the privacy of customer information in accordance with applicable federal and state laws, and will make available to the public its privacy policy concerning information collected online.

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)

Choice Communications LLC)

Petition for Designation as an Eligible)
Telecommunications Carrier in the)
United States Virgin Islands)
_____)

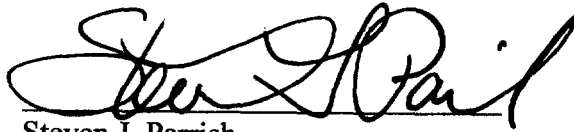
CC Docket No. 96-45

**ANTI-DRUG ABUSE CERTIFICATION OF
CHOICE COMMUNICATIONS LLC**

I, Steven J. Parrish, Chief Executive Officer of Choice Communications LLC,
state the following under penalty of perjury.

1. I am the CEO of Choice Communications LLC ("Choice").
2. I certify that, to the best of my knowledge, Choice, including its officers, directors, and the persons holding 5% or more of the outstanding shares of stock (voting and/or nonvoting) of Choice, as specified in section 1.2002(b) of the FCC's rules, 47 C.F.R. § 1.2002(b), are not subject to a denial of federal benefits that includes FCC benefits pursuant to section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. § 862.

3. This concludes my affidavit.



Steven J. Parrish
CEO, Choice Communications LLC

SUBSCRIBED, SWORN TO, AND ACKNOWLEDGED before me this 11th day of January, 2005.

My Commission expires:



Shyra M. Raymond
My commission expires 1/16/2005
NP - 008 - 01

January 11, 2004 ⁵₁₇

VIA HAND DELIVERY

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Ms. Irene M. Flannery
Vice President – High Cost and Low Income Division
Universal Service Administrative Company
2000 L Street, NW, Suite 200
Washington, DC 20036

Re: Choice Communications LLC Certification for High Cost Loop Support,
CC Docket No. 96-45

Dear Ms. Dortch and Ms. Flannery:

This certification is submitted on behalf of Choice Communications LLC (“Choice”) in accordance with Federal Communications Rules 54.313, 54.314 (47 C.F.R §§ 54.313, 54.314). On behalf of Choice, I hereby certify under penalty of perjury that all high-cost support provided to Choice will be used only for the provision, maintenance, and upgrading of facilities and services for which the support is intended, pursuant to Section 254(e) of the Telecommunications Act of 1996 (47 U.S.C. § 254(e)).

Choice Communications LLC



Steven J. Parrish
Chief Executive Officer

SUBSCRIBED, SWORN TO, AND ACKNOWLEDGED before me this 11th day of January, 2005.


NOTARY PUBLIC

My Commission Expires:

Shyra M. Raymond
My commission expires 1/16/2005
NP - 008 - 01

CERTIFICATE OF SERVICE

I, Tara Keilberg, hereby certify that on this 1st day of January, 2005, I served a true and correct copy of the foregoing **Choice Communications LLC Petition for Designation as an Eligible Telecommunications Carrier in the United States Virgin Islands**, on the following by the means indicated:

Marlene H. Dortch, Secretary+
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Virgin Islands Public Services Commission^
Attn: Keithley Joseph, Exec. Director, Telecommunications
#8 Estate Ross
Barbel Plaza
St. Thomas, Virgin Islands 00802

Best Copy and Printing, Inc.*
Portals II, 445 12th Street, SW
Room CY-B402
Washington, D.C. 20554


Tara Keilberg

- + Via Electronic Comment Filing System and Hand Delivery
- * Via Email
- ^ Via Overnight Mail